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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|----------------------|------------------|
| 10/677,524 | 10/02/2003 | Karsten Stoll | A36020 - 066340.0177 | 9328 |
| 21003 | 7590 | 09/09/2004 | EXAMINER | |
| BAKER & BOTTS 30 ROCKEFELLER PLAZA NEW YORK, NY 10112 | | | KARLSEN, ERNEST F | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2829 | |

DATE MAILED: 09/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|--------------------------------------|-------------------------------------|--|
| Office Action Summary | Application No. 10/677,524 | Applicant(s) STOLL ET AL. | |
| | Examiner Ernest F. Karlsen | Art Unit 2829 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☒ Claim(s) 8-21 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☒ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

It is required that the serial number of the patent application directed to related subject matter cited at the beginning of the specification be provided.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-7 are rejected under 35 U.S.C. 102(b) as being anticipated by Blanz.

With regard to claim 1, Blanz shows a test apparatus 10 with loading device 192, a chuck 40 provided with a drive, a carriage 210 arranged to be displaced between a first position inside the working area close to the chuck, as in the dashed line showing of Fig. 1, and a second receiving position outside the working area, as in the solid line showing of element 210 of Figure 1, a receiving member mounted on the carriage, that part of element 210, 194, that contacts the wafer, wherein the receiving member and the chuck are arranged for vertical movement as shown by the dashed and solid lines representing element 194 in Figure 2. With regard to claims 2 and 3, the carriage drive is in the housing formed by elements 12, 14 and 16. With regard to claim 4, the carriage and carriage drive are connected to plate 12 and plate 12 is connected to the chuck drive, therefore the carriage and carriage drive are connected to the chuck drive. With regard to claim 5, the carriage having element 194 can be driven vertically with respect to the chuck 40 of Figure 2. With regard to claim 6, at least a portion of the carriage as represented by the parts 192 and 196 are below a surface, on element 194,

which bears the test substrate. With regard to claim 7, that mechanism which allows element 194 to go up and down is considered a telescopic rail.

Claims 8-21 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Reasons for Allowance

The following is an examiner's statement of reasons for allowance: No reference was found anticipating or a combination of references found making obvious a test apparatus as set forth in claim 8 wherein the receiving member is provided with a forceps holder for receiving forceps which hold the test substrate and the chuck is provided with three lifting pins, a test apparatus as set forth in claim 10 wherein the chuck plate has at least three lugs projecting above the chuck surface and wherein the receiving member has an opening with an opening surface area which is similar to the chuck surface, such that the receiving member, in the first position at least partially surrounds the chuck body without contact and at a spacing therefrom which is smaller than the extent by which the legs project above the chuck surface, a test apparatus as set forth in claim 14 wherein the chuck comprises a chuck body with a chuck surface and a chuck plate which rests on the chuck surface is provided with a bearing surface and can be detached from the chuck body, wherein the chuck plate, on its underside, has first holding members, which engage releasably in second holding members, which are connected to the chuck, wherein the carriage can be pushed in from the outside from the first receiving position, and wherein the carriage has a third holding member,

which engages releasably into a fourth holding member on the chuck plate, or a test apparatus as set forth in claim 16 wherein the receiving member comprises a substrate carrier having a first holding members on a lower side thereof which engage releasably in second holding members connected to the chuck, wherein the carriage can be pushed in from the first receiving position, and wherein the carriage has a third holding member which engages releasably in a fourth holding member on the substrate carrier.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Examiner's Comments

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Tanaka et al, Abraham et al, Yamazaki and Kawaguchi et al are cited to show test apparatus and wafer handling apparatus similar to that of Blanz. Fujihara et al is cited to show chuck positioning apparatus for positioning a chuck relative to test probes.

Any inquiry concerning this communication should be directed to Ernest F. Karlsen at telephone number 571-272-1961.

Ernest F. Karlsen

September 2, 2004

A handwritten signature in black ink, appearing to read "Ernest F. Karlsen", written in a cursive style.

**ERNEST KARLSEN
PRIMARY EXAMINER**